

REMARKS

Amendment A is hereby provided after careful consideration of the Examiner's comments set forth in the Office Action mailed June 26, 2008. Claims 1, 9-11, and 19-21 remain in the application and claims 22-39 are added after Amendment A is entered. Reconsideration of the application is respectfully requested in view of the amendments and remarks provided herein.

The Office Action

An English abstract was requested by the Examiner for non-English EP 0633207. This non-English foreign patent document was provided in an Information Disclosure Statement filed February 4, 2008.

Claims 6, 8, 16, and 18 stand rejected under 35 U.S.C. § 112, second paragraph for allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Claims 1-4, 6, 9-14, 16, and 19-21 stand rejected under 35 U.S.C. § 103(a) for allegedly being obvious over U.S. Patent No. 7,062,344 to Yokoyama et al. in view of U.S. Patent No. 6,198,980 to Costanza.

Claims 5, 8, 15, and 18 stand rejected under 35 U.S.C. § 103(a) for allegedly being obvious over Yokoyama in view of Constanza in further view of U.S. Patent Application Publication No. 2002/0183884 to Jones et al.

Claims 7 and 17 are identified as being directed to allowable subject matter in combination with corresponding base and intermediate claims.

The Information Disclosure Statement Objection

English Abstract for Foreign Patent Document Provided with Accompanying Supplemental Information Disclosure Statement.

An English Abstract for Non-English European Patent Document No. EP 0633207 is provided with a Supplemental Information Disclosure Statement (IDS) that accompanies this amendment. The Applicant respectfully requests that EP 06033207 be properly considered in view of the filing of the English Abstract.

The Art Rejections

Claims 1, 9-11, and 19-21 Patentably Distinguish Over the Combination of Yokoyama and Costanza.

As amended, claim 1 now incorporates all the limitations of originally-filed claims 2, 4, and 7. Claim 7 was identified as being directed to allowable subject matter. Claim 7 originally depended from base claim 1 via intermediate claims 2 and 4. Accordingly, the Applicant respectfully submits that claim 1 is patentably distinguished from the combination of Yokoyama and Costanza. Based at least on the foregoing, the Applicant respectfully submits that independent claim 1 and claims dependent thereon (i.e., claims 9 and 10) are currently in condition for allowance.

As amended, claim 11 now incorporates all the limitations of originally-filed claims 12, 14, and 17. Claim 17 was identified as being directed to allowable subject matter. Claim 17 originally depended from base claim 11 via intermediate claims 12 and 14. Accordingly, the Applicant respectfully submits that claim 11 is patentably distinguished from the combination of Yokoyama and Costanza. Based at least on the foregoing, the Applicant respectfully submits that independent claim 11 and claims dependent thereon (i.e., claims 19 and 20) are currently in condition for allowance.

As amended, claim 21 now incorporates all the limitations of originally-filed claims 2, 4, and 7. As mentioned above, Claim 7 was identified as being directed to allowable subject matter. Claim 7 originally depended from base claim 1 via intermediate claims 2 and 4. Claim 21 is directed to an article of manufacture related to originally-filed claim 1. Accordingly, the Applicant respectfully submits that claim 21 is patentably distinguished from the combination of Yokoyama and Costanza for at least the same reasons stated above distinguishing claim 1 from the combination of Yokoyama and Costanza. Based at least on the foregoing, the Applicant respectfully submits that independent claim 21 is currently in condition for allowance.

CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1, 9-11, and 19-39) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

☒ Remaining Claims, as delineated below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR		(3) NUMBER EXTRA
TOTAL CLAIMS	24	- 20 =	4
INDEPENDENT CLAIMS	4	- 3 =	1

☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Alan C. Brandt, at Telephone Number (216) 861-5582.

Respectfully submitted,

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October 27, 2008
Date